

North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
TIP No. R-2915D

I. GENERAL INFORMATION

- a. Consultation Phase: Construction Consultation
- b. Project Description: US 221 Widening
Watauga/Ashe Counties
- c. WBS Number: 34518.1.1
Federal Project: STP-0221 (13)
- d. Document Type: FONSI (addendum) 12/18/2013
Date

II. CONCLUSIONS

The above environmental document has been reevaluated as required by 23 CFR 771. It was determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted below in Section III. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced document(s) unless noted otherwise herein. Therefore, the original Administration Action remains valid.

III. CHANGES IN PROPOSED ACTION AND ENVIRONMENTAL CONSEQUENCES

The North Carolina Department of Transportation (NCDOT) proposes to widen US 221 to a four-lane, median-divided facility from US 421 in the Deep Gap Community of Watauga County to the US 221 Business/NC 88 intersection in the town of Jefferson in Ashe County.

There are no substantial changes to the environmental commitments prior to right-of-way acquisition for the addendum to the FONSI, which was signed on December 18, 2013. Water resource classifications have not changed since the EA and FONSI have been completed. The U.S. Fish and Wildlife Service lists nine federally protected species for Ashe County. The last Biological Conclusions of "No Effect" for all nine species remain valid.

A US Fish and Wildlife Service proposal for listing the Northern Long-eared Bat (*Myotis septentrionalis*) as an Endangered species was published in the Federal Register in October 2013. The listing will become effective on or before April, 2015. Furthermore, this species is included in USFWS's current list of protected species for Ashe and Watauga County. NCDOT is working closely with the USFWS to understand how this proposed listing may impact NCDOT projects. NCDOT will continue to coordinate appropriately with USFWS to determine if this project will incur potential effects to the Northern long-eared bat, and how to address these potential effects, if necessary.

There are no new design constraints on this section of the project.

IV. LIST OF ENVIRONMENTAL COMMITMENTS

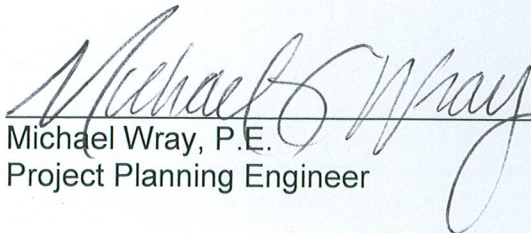
See the attached Green Sheet of environmental commitments developed during the planning and design process.

V. COORDINATION

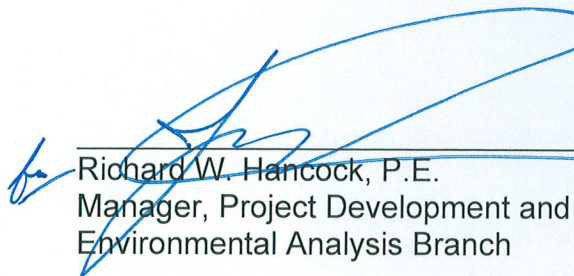
Project Development and Environmental Analysis Branch personnel have discussed current project proposals with others as follows:

Design Engineer:	<u>Brenda Moore</u>	<u>12-22-2014</u> Date
FHWA Engineer:	<u>Mitch Batuzich</u>	<u>01-08-2015</u> Date
Permits Section:	<u>Erin Cheely</u>	<u>12-18-2014</u> Date

VI. NCDOT CONCURRENCE

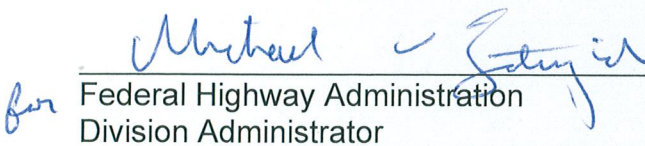

Michael Wray, P.E.
Project Planning Engineer

1-8-2015
Date


Richard W. Hancock, P.E.
Manager, Project Development and
Environmental Analysis Branch

1-8-2015
Date

VII. FHWA CONCURRENCE


for Federal Highway Administration
Division Administrator

1-8-15
Date

PROJECT COMMITMENTS

US 221 WIDENING

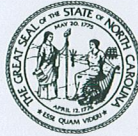
US 421 to US 221 Business/NC 88 in Jefferson
Ashe County

WBS Element 34518.1.1
Federal Project No. STP-0221(13)

TIP PROJECT R-2915D

The following special commitments have been agreed to by NCDOT:

- NCDOT will comply with the NC Wildlife Resources Commission's moratorium prohibiting in-stream work and land disturbance within the 25-foot trout buffer from October 15 to April 15 for all streams supporting wild trout, including but not limited to, Beaver Creek, Call Creek, Cole Branch, Gap Creek, Little Gap Creek, and Old Field Creek.
- *Design Standards in Sensitive Watersheds* will be adhered to during project construction (15A NCAC 4B.0124).
- NCDOT will provide an individual Section 404 permit for the U.S. Army Corps of Engineers and a Section 401 Water Quality Certification for the NC Division of Water Resources.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

December 18, 2014

MEMORANDUM TO: Michael Wray, P.E., Project Planning Engineer
Project Development Section

FROM: Erin Cheely, Environmental Specialist
Natural Environment Section

SUBJECT: Water resources and protected species review for a Federal Highway Administration (FHWA) Right of Way Consultation for the US 221 Widening from south of NC 194 to US 221 Bypass in Ashe County. Federal Project No. STP-0221(42), WBS Element 34518.1.5, Division 11, TIP No. R-2915D.

REFERENCE: Environmental Assessment (EA), Approved October 2012
Finding of No Significant Impact (FONSI), Approved May 2013
FONSI Addendum, Approved December 2013

Application for an Individual Section 404 Permit and Section 401 Water Quality Certification, dated July 2014

WATER RESOURCES

Water classifications within the project area have not changed since the EA and FONSI have been completed.

PROTECTED SPECIES

As of January 14, 2014, the USFWS lists nine federally protected species for Ashe County. The biological conclusion for all nine of these species is "No Effect" for this project. Swamp pink was most recently surveyed for in May 2013, and Virginia spiraea was most recently surveyed for in July 2014. The July 2014 permit application contains more detailed information regarding surveys conducted for listed species.

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LOCATION:
CENTURY CENTER, BUILDING B
1020 BIRCH RIDGE DRIVE
RALEIGH NC, 27610

A US Fish and Wildlife Service proposal for listing the Northern Long-eared Bat (*Myotis septentrionalis*) as an Endangered species was published in the Federal Register in October 2013. The listing will become effective on or before April, 2015. Furthermore, this species is included in USFWS's current list of protected species for Ashe and Watauga County. NCDOT is working closely with the USFWS to understand how this proposed listing may impact NCDOT projects. NCDOT will continue to coordinate appropriately with USFWS to determine if this project will incur potential effects to the Northern long-eared bat, and how to address these potential effects, if necessary.

GREENSHEET COMMITMENTS

The phased permit application for the entire length of R-2915 (including all five sections A-E from US 421 to US 221 Business/NC 88) was distributed in July 2014. The US Army Corps of Engineers (USACE) and NC Division of Water Resources (NCDWR) will require additional special conditions when they issue the 404 Permit and 401 Certification. These conditions will be incorporated in the Permit Greensheet by the Natural Environment Section.

cc: R-2915D file